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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. | | | | | | | | | | | | | | |
|---|---------------|----------------------|---|------------------|----------|--|--------------|--|----------|--------------|------|--|---|--|-----------|---------------|------------|-------|
| 10/688,543 | 10/17/2003 | Neil P. Adams | 555255012605 | 1148 | | | | | | | | | | | | | | |
| 7590 John V. Biernacki, Esq. JONES DAY North Point 901 Lakeside Ave Cleveland, OH 44114 | | 11/27/2007 | <table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">VU, VIET DUY</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>2154</td><td></td></tr><tr><td colspan="2"><table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>11/27/2007</td><td>PAPER</td></tr></table></td></tr></table> | | EXAMINER | | VU, VIET DUY | | ART UNIT | PAPER NUMBER | 2154 | | <table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>11/27/2007</td><td>PAPER</td></tr></table> | | MAIL DATE | DELIVERY MODE | 11/27/2007 | PAPER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/688,543

Applicant(s)

ADAMS ET AL.

Examiner

Viet Vu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9-24 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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Art Rejections:

1. The texts of 35 U.S.C. 102(e) and 103(a) cited in the previous office action are hereby incorporated by reference.

2. The rejection of claims 1-5 and 10-14 under 35 U.S.C. 102(e) as being clearly anticipated by Montville et al, U.S. pat. No. 6,356,937, mailed July, 3, 2007, is hereby incorporated by reference.

3. The rejection of claims 15-24 under 35 U.S.C. 103(a) as being unpatentable over Montville et al, U.S. pat. No. 6,356,937, mailed July, 3, 2007, is hereby incorporated by reference.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Montville.

Montville's teachings are applied as set forth in item 2 above. Montville teaches providing a message composition interface to allow user to apply select options before sending the current message (see col 16, lines 14-29). Montville also teaches providing a preference setting menu to allow user to select options that are would be applied to all outgoing messages (see col 20, lines 50-67). Montville does not teach

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preventing user's select options in the send interface being applied to subsequent messages.

It would have been an obvious engineering design choice to one of ordinary skill in the art at the time of the invention to design the send interface such that the options selected by the user on the send menu would or would not be applied to subsequent messages. The choice of non-applying changes to subsequent messages would have been motivated because it would have prevented temporary settings of the current message from inadvertently changing the preferences settings.

Allowable Subject Matter:

5. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Amendment:

6. Applicant's arguments filed on November 9, 2007 with respect to claims 1-5 and 9-24 have been fully considered but they are not deemed persuasive.

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Per claims 1, 15 and 24, applicant alleges that Montville does not teach providing and displaying message settings for more than one type of security scheme.

The examiner disagrees. Montville clearly teaches allowing user to select at least two types of security scheme: encryption and digital signing (see fig. 13). Thus, it is submitted that Montville's teaching meets the alleged claim limitation.

Conclusion:

7. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to

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4:00pm. The Group general information number is 571-272-2100.
The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on 571-272-1915.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU
PRIMARY EXAMINER

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11/19/07